

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION**

IN RE:

MAGDALENO HERNANDEZ  
SYLVIA CONCHA HERNANDEZ  
DEBTOR(S)

CASE NO.: 08-10223-RLJ-13  
DATED: March, 04 2013

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**NOTICE OF INTENT TO DISBURSE EXCESS 2012 TAX REFUND TO CREDITORS AND RAISE  
DEBTORS PLAN BASE**

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Notice is hereby given that the Trustee has received Debtor's 2012 income tax return showing a refund in the amount of \$2,963.00. The Debtor is allowed to retain \$2,000.00 due to General Order 2010-01.

Unless a timely objection is filed with the Court, the Trustee will pay the remaining amount of \$963.00 pro rata to the allowed unsecured creditors; raise the Debtor's plan base and the unsecured creditors' pool by that same amount, less Trustee's fees.

**Notice of Hearing And Pre-hearing Conference**

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 5/1/2013 AT 11:00 CONCERNING THE TRUSTEE'S NOTICE OF INTENT TO DISBURSE EXCESS 2012 TAX REFUND TO CREDITORS AND RAISE DEBTOR'S PLAN BASE AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE. IF NO OBJECTION IS FILED, THE TRUSTEE WILL ACT AS STATED ABOVE.

**Certificate of Service**

I hereby certify that a true copy of the foregoing NOTICE OF INTENT TO DISBURSE EXCESS 2012 TAX REFUND TO CREDITORS AND RAISE DEBTORS PLAN BASE was served on the following parties electronically or at the addresses listed below by U.S. First Class mail on March, 04 2013.

MAGDALENO HERNANDEZ & SYLVIA CONCHA HERNANDEZ 1261 WEST EDEN MUNDAY TX 76371  
INTERNAL REVENUE SERVICE SPECIAL PROCEDURES 1100 COMMERCE ST MC 5027DAL DALLAS TX 75242  
MONTE J WHITE & ASSOCIATES PC ATTORNEY AT LAW ABILENE 402 CYPRESS SUITE 310 ABILENE TX 79601  
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101  
THOMAS W CHOATE ATTORNEY AT LAW PO BOX 206 ABILENE TX 79604  
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242  
MCCREARY VESELKA BRAGG & ALLEN PO BOX 1269 ROUND ROCK TX 78680  
B-LINE LLC ATTN STEVEN KANE PO BOX 91121 DEPT 550 SEATTLE WA 98111

/s/ Walter O'Cheskey

Walter O'Cheskey, Chapter 13 Trustee